IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE A.GOPAL REDDY
WRIT PETITION NO : 11631 of 2004

Between:
Raparthi Madhunaiah, S/o.Sammaiah,
R/o.H.No.19-121, Kapuwada (Jandawada), Chinnoor Village, Adilabad District.

..... PETITIONER

AND

1 The Govt. of A.P., rep.by its Secretary, Revenue, Freedom Fighters Department, Secretariat, Hyderabad.
2 The District Collector, Adilabad.
3 The M.R.O., Chinnoor, Adilabad District.
4 The Revenue Divisional officer, Manchiryal, Adilabad District.
5 The Union of India, rep.by its Under Secretary, Ministry of Home affairs, Freedom Fighters Division, Lok-Nayak Bhavan, New Delhi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of writ of Mandamus directing the respondents 2 to 4 herein to submit the verification report of the petitioner to the 1st respondent to enable the 1st respondent to forward the same to the 5th respondent so as to consider the same by the fifth respondent for grant of freedom fighters pension under Swatantra Sainik Samman Pension Shceme, 1980 within a period of 2 weeks from the date of receipt of the copy of the order by duly declaring the action of the respondents 2 to 4 herein in not forwarding the verification report of the petitioner to the 1st respondent though the 1st respondent issue Memo No.

69954/FFA/99-S, dt.16-6-2001 calling upon them to submit verification report of the petitioner to enable him to forward the same to the 5th respondent as illegal, arbitrary and contrary to the true intent of Swatantra Sainik Samman Pension Scheme, 1980.

Counsel for the Petitioner: MR.VENKATESHWAR VARANASI

Counsel for Respondents 1 to 4: GP FOR REVENUE

Counsel for Respondent NO.5: Mr. A. Rajasekhar Reddy, S.C. for Central Government

The Court at the admission stage made the following :

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue. Both have expressed no objection for disposal of the writ petition at the admission stage.

The petitioner claims to be a Freedom Fighter having participated in the former State of Hyderabad Liberating struggle along with some others during 1947-48. The petitioner states that he made an application in 1977 for grant of pension under Swatantra Sainik Samman Pension Scheme before the 5th respondent who allotted File No.112/3859/97 agenda No.3847 on 14-12-1997 and that the Special Screening Committee also recommended his case to the 5th respondent on 25-3-1998, which by its letter dated 1-5-2001 has called for the verification report from the concerned revenue authorities to enable it to grant Freedom Fighters Pension to the petitioner. Alleging that the respondents 2 to 4 are not forwarding the verification reports to the 1st respondent for onward transmission to the 5th

respondent for grant of pension, the present writ petition is filed.

In the light of the order passed by this court in W.P.No.660 of 2004 and having regard to the facts and circumstances of the case and without expressing any opinion on the merits of the case, the writ petition is disposed of at the admission stage directing the respondents 2 to 4 to submit the verification report of the petitioner to the 1st respondent to enable it to forward the same to the 5th respondent for considering the case of the petitioner for grant of Freedom Fighters' Pension, within a period of four weeks from the date of receipt of a copy of this order.

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A. Gopal Reddy, J.

20th September, 2004.
Js.

ASSISTANT REGISTRAR

To
1 The Secretary, Govt. of A.P., Revenue Freedom Fighters Department, Secretariat, Hyderabad.
2 The District Collector, Adilabad.
3 The M.R.O., Chinnoor, Adilabad District.
4 The Revenue Divisional officer, Manchiryal, Adilabad District.
5 The Under Secretary, Union of India, Ministry of Home affairs, Freedom Fighters Division, Lok-Nayak Bhavan, New Delhi.
6 2 CCs to G.P. for Revenue, High Court Buildings, Hyderabad.
7 2 CD copies.